



City of Rowlett

Official Copy

Ordinance: ORD-013-13

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 77 ("DEVELOPMENT CODE") BY REPEALING ALL REFERENCES TO MU-DT, MU-TR AND MU-TS IN ALL SECTIONS AND TABLES WHERE SUCH REFERENCES APPEAR; BY REPEALING ALL REFERENCES TO "CONDITIONAL USE PERMIT" AND "CUP" IN ALL SECTIONS AND TABLES WHERE SUCH REFERENCES APPEAR AND REPLACING "CONDITION USE PERMIT" AND "CUP" WITH "SPECIAL USE PERMIT" AND "SUP"; BY AMENDING SUBSECTION E OF SECTION 77-301 TO REPLACE THE "TABLE OF ALLOWED USES" TO AMEND SAID TABLE TO ALLOW, LIMIT OR QUALIFY USES ALLOWED IN VARIOUS ZONING DISTRICTS; BY AMENDING SUBSECTION B OF SECTION 77-303 TO REPLACE THE "TABLE OF ACCESSORY USES"; BY AMENDING SUBPART (a) OF SUBSECTION C(3) OF SECTION 77-303 TO AMEND REGULATIONS PERTAINING TO ACCESSORY STRUCTURES; BY AMENDING SUBPART (7) OF SUBSECTION C OF SECTION 77-303 TO AMEND REGULATIONS PERTAINING TO CARPORTS; BY AMENDING SUBSECTION D OF SECTION 77-303 TO ADOPT REGULATIONS FOR SOLAR ENERGY PANELS AND DEVICES; BY AMENDING SECTION 77-401 TO AMEND TABLE 4.1-1, "DIMENSIONAL REQUIREMENTS – RESIDENTIAL DISTRICTS" TO REMOVE OBSOLETE REFERENCES; BY AMENDING SECTION 77-401 TO REPLACE TABLE 4.1-3, "DIMENSIONAL REQUIREMENTS – MIXED USE DISTRICTS" TO REMOVE OBSOLETE REFERENCES; BY AMENDING VARIOUS SUBSECTIONS AND SUBPARTS OF SECTION 77-504 TO REVISE REGULATIONS PERTAINING TO LANDSCAPING, SCREENING AND TREE PRESERVATION/MITIGATION; BY AMENDING SUBPART (H)(1)(c) OF SECTION 77-506 TO REVISE REGULATIONS PERTAINING TO BUFFERING AND SCREENING IN PARKING LOT DESIGN STANDARDS; BY AMENDING TABLE 5.12-1 OF SECTION 77-512 TO REVISE REGULATIONS PERTAINING TO WALL, AWNING AND MENU BOARD SIGNS; BY AMENDING SECTION 77-1103 TO ADD DEFINITIONS OF "GROUP HOME", "ALTERNATIVE FINANCIAL INSTITUTION", "OFFICE/WAREHOUSE", "SELF SERVICE LAUNDROMAT", "PAWN SHOP" AND "TATTOO PARLOR", TO REVISE DEFINITIONS OF "PERSONAL COSMETICS", "GROUP LIVING", AND "GENERAL PERSONAL SERVICE ESTABLISHMENT" AND TO REPEAL THE DEFINITION OF "SHOPPING CENTER"; BY AMENDING PART VI OF VOLUME II OF THE CODE OF ORDINANCES TO REPEAL PART VI, THE "DOWNTOWN LAND USE PLAN" AND RESERVING PART VI FOR FUTURE EXPANSION; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Rowlett, in compliance with state laws with reference to amending the Comprehensive Zoning

Ordinance, and in compliance with the procedures set forth in the Rowlett Development Code, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Rowlett Development Code should be amended as necessary to advance the public health, safety, morals, and general welfare of the city and the goals of the City Council as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code", by amending section 77-201 to revise Table 2.1-1, "Zoning District Established, Hierarchy of Districts", to delete the specific rows in the Mixed Use category that are identified as "MU-DT", "MU-TR", "and "MU-TS."

Section 2: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code", by amending section 77-204 to repeal subparts (1), (2) and (3) of subsection (B) and to renumber subparts (4) and (5), such that subsection (B) of Section 77-204 shall read as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

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Sec. 77-204. Mixed use districts.

...

B. *Specific purposes of individual mixed-use districts.*

1. *Mixed-Use Waterfront District—MU-WF.* The MU-WF district is intended to accommodate a variety of moderate-intensity nonresidential entertainment and retail uses that take advantage of lakefront locations and views. It is intended to be applied to waterfront locations, including, but not limited to, that area proposed for retail-waterfront uses in the downtown plan.
 2. *Mixed-Use North Shore District—MU-NS.* The MU-NS district is intended to accommodate a variety of residential and nonresidential uses in small-, medium-, and large-scale developments. It is intended to be applied to both sides of the multi-modal turnpike corridor north of Lakeview Parkway/State Highway 66. Although the district accommodates a wide variety of
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land uses, development should retain an open and semi-rural character when viewed from the corridor.”

Section 3: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, “Rowlett Development Code,” by amending Section 77-301 to amend subparts (2) and (4) of subsection (A), such that subparts (A)(2) and (A)(4) of Section 77-301 shall read as follows:

“CHAPTER 77

ROWLETT DEVELOPMENT CODE

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Sec. 77-301. Table of allowed uses.

Table 3.1-1 below lists the uses allowed within all base zoning districts. Each of the listed uses is defined in Chapter 77-1100, Definitions.

A. *Explanation of table abbreviations.*

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2. *Special Uses.* “S” in a cell indicates that, in the respective zoning district, the use is allowed only if reviewed and approved as a special use permit in accordance with subchapter 77-206(A).

...

- (4) *Use-specific standards.* Regardless of whether a use is allowed by right or permitted as a special use, there may be additional standards that are applicable to the use. The existence of these use-specific standards is noted through a cross-reference in the last column of the table. Cross-references refer to subchapter 77-302, Use-specific standards. These standards apply in all districts unless otherwise specified. . . .”

Section 4: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, “Rowlett Development Code,” by amending Section 77-301 to amend subsection (E), to replace Table 3.1-1, “Table of Allowed Uses,” with the “Table of Allowed Uses” attached hereto as Exhibit “A” and incorporated herein.

Section 5: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, “Rowlett Development Code,” by amending section

[illegible]

Home occupations	A	A	A	A	A	A	A									A		III.C.4
Incidental accessory uses	A								A		A	A	A	A	A	A	A	
Outdoor storage, display and sales									S	S	S	S	S	S	S	S	S	III.C.4
Produce stand	A							S			S	S	S			S		
Public park or playground	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Quarters for caretaker/guard as part of a permanent structure	S	S				S			A		A	A	A	A	A	S		
Restaurants incidental to main use									S	S	S	S	S	S	S	S	S	
Retail sales or service, incidental									A	A	A	A	A			A	A	

Section 6: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending section 77-303 to replace subpart (a) of subsection (C)(3) such that Subsection (C)(3)(a) of Section 77-303 shall read in its entirety as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-303. Accessory Uses and structures.

...

C. *General standards.* All accessory uses and structures shall comply with the general standards in this section.

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3. *Dimensional standards for residential accessory buildings and structures.*

(a) *Size, height and building materials.*

1. The number and size of accessory structures permitted on residential lots shall be regulated by the maximum lot coverage permitted in the zoning district or 35 percent of rear yard, whichever is less.
2. Accessory structures shall not exceed the height of the primary structure or the maximum height for the zoning district, whichever is less. However, accessory structures in the front yard shall not exceed seven feet in height.
3. Accessory structures located in the front or side yard shall adhere to the same front and side yard setbacks as required for the primary structure.
4. When an accessory structure is located in the rear yard, a minimum three foot side setback is required.
5. No accessory structure or portion of an accessory structure shall be used as a dwelling.

6. A building permit shall not be required for accessory structures less than 120 square feet.
7. An accessory structure of between 120 square feet and 500 square feet, and which is an enclosed structure, shall have exterior walls constructed of building materials other than metal that are weather resistant, including the roof; provided, however, that if the primary structure on the lot has a metal roof, the accessory structure may also have a metal roof of similar type. A building permit shall be required.
8. Any accessory structure in a residential zoning district that is over 500 square feet in size and which is enclosed shall require a special use permit. A building permit shall be required.
9. Any accessory structure that does not meet the above requirements may be allowed only by special use permit."

Section 7: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending section 77-303 to replace subpart (7) of subsection (C) such that Subpart (C)(7) of Section 77-303 shall read in its entirety as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-303. Accessory Uses and structures.

...

- C. *General standards.* All accessory uses and structures shall comply with the general standards in this section.

...

7. *Carports.* A carport is defined as a structure open on a minimum of three sides designed or used to shelter vehicles.

(a) No carport may be erected without a building permit.

(b) For carports located in front yards, side yards, or in rear yards visible from a public street, the following regulations shall apply:

(i) Carports shall not be located within any required front or side yard setback

(ii) The carport shall be architecturally integrated with the main structure. The exterior building materials and roof

materials shall not consist of metal and shall be comprised of materials of similar type, size, shape, texture, and color of the primary structure.

- (iii) The ceiling height shall not exceed eight feet.
 - (iv) The carport shall have a pitched roof that is either a closed or opened gable or hip design that matches the existing pitch and is structurally integrated into the roof of the principal structure provided that, if the carport abuts a two-story wall of the home, the carport shall be attached to the abutting wall. The carport shall use roofing materials that substantially match the color and type of the roofing materials used on the principal structure.
 - (v) In front yards, carports shall be no greater than five hundred (500) square feet and cannot extend twenty (20) feet beyond the front or exterior building line proper. The width of a front carport shall not exceed forty (40) percent of the length of the front façade of the principal structure.
- (c) For carports located in rear yards and that are not visible from a public street, the following regulations shall apply:
- (i) Carports must be a minimum of three feet from side and rear property lines.
 - (ii) Rear yard carports must be constructed of either pre-engineered metal-based systems or be comprised of materials of similar type, size, shape, texture and color of the primary structure.
 - (iii) Rear yard carports shall not exceed 500 square feet.
- (d) The ceiling height for carports attached to the rear of a one-story residence cannot exceed the height of the peak of the roof of the residence or 15 feet, whichever is greater. The ceiling height for carports attached to the rear of a two-story or greater residence shall be restricted to 15 feet.
- (e) The roof material of a carport must be approved by the building official.
- (f) Parking within carports must be on an approved surface.
- (g) Any carport that does not meet the above requirements or exceeds 500 square feet may be allowed only by special use permit.
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Section 8: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending section 77-303 to add a new subpart (4) to subsection (D) such that Subpart (D)(4) of Section 77-303 shall read in its entirety as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-303. Accessory Uses and structures.

...

D. *Additional standards for specific accessory uses. . . .*

...

(4) *Solar panels.*

(a) *Location.* Solar panels may be located on the roof of a structure or be attached to a freestanding structure.

(i) Free standing solar panels are allowed only in rear yards and must meet accessory structure setback and height restrictions or those provided herein, whichever are more restrictive.

(ii) Solar panels on the roof of a structure shall be located on a rear or side facing roof or, in the case of a flat roof, behind a parapet wall.

(iii) Solar shingles may be located anywhere on the roof of a home. Solar shingles are defined herein as solar cells designed to resemble traditional asphalt or roof shingles.

(b) *Height.*

(i) Solar panels located on a roof may not project higher than 5 feet over the roof plane and shall not be taller than the roof peak so as not to be visible from the front yard.

(ii) Solar singles located on a roof visible from a front yard will be allowed as part of the roof structure with no additional apparent change in relief or projection.

(iii) Freestanding solar panels shall be no taller than 6 feet in residential zoning districts and no taller than 12 feet in non-residential zoning districts.

(c) *Screening.* Freestanding solar panels or solar panels located on flat roofs must be screened from public view and adjacent

properties using a parapet wall, fence, or living screen with a minimum height equal to the height of the solar panels.

- (d) Any solar panel or supporting structure that does not meet the above requirements will require a special use permit.”

Section 9: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, “Rowlett Development Code,” by amending section 77-401 to revise Table 4.1-1, “Dimensional Requirements – Residential Districts,” to remove Note 6 following the table, to renumber the succeeding Notes in correct numerical sequence, and to remove the reference to “*DT Oliver Village*: See Note 6” found in the row entitled “MF-TH” in the column entitled “Minimum Setback Requirements, Front (ft.).”

Section 10: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, “Rowlett Development Code,” by amending section 77-401 to replace Table 4.1-3 “Dimensional Requirements: Mixed-Use Districts” and its accompanying Notes, such that Note 1 shall be and is hereby repealed, Note 2 is renumbered as Note 1, and Table 4.1-3 of Section 77-401 shall read as follows:

“CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-401. Tables of dimensional requirements.

...

TABLE 4.1-3: DIMENSIONAL REQUIREMENTS – MIXED-USE DISTRICTS									
(Additional standards may apply. See Use-Specific Standards in subchapter 77-302)									
District	Lot Size and Density					Minimum Setback Requirements			Min. Floor Area per Dwelling Unit
	Max	Min Lot	Min	Min	Max Lot				

	Density (du/acre)	Area (sq. ft./lot)	Width (ft.)	Depth (ft.)	Coverage (%)	Front (ft.)	Side	Rear (ft.)	(sq. ft.)	
MU-WF	None	None	None	None	65	50 (Front setbacks include those facing the lake; setbacks must be above 440.45 mean sea level)	<i>Yard adjoining residential district or intersecting street: 50</i> <i>Corner lot: 50 ft. from all street rights-of-way</i>	30 (comprised of alley, services court, rear yard, or combination thereof.)	None	30, or 2 stories
MU-NS	None	4 acres	None	None	30	50	50	50	None	None

Section 11: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending Section 77-504 to amend Subpart (D)(2)(b)(1) by replacing subsection (1) of Subpart (D)(2)(b); to amend Subpart (D)(2)(d) by replacing subsection (d) of Subpart (D)(2); to amend Subpart (D)(2)(f)(3)(a); to amend Subpart (D)(3) and subsection (e) of Subpart (D)(3) to revise the language of Subpart (D)(3) and Subsection (e) of Subpart (D)(3); to amend Subpart (E)(2) to add additional language to subpart (E)(2); to amend Subpart (F)(5) to add a new subsection (d) to Subpart (F)(5); and, to amend Subpart (H)(4)(e) by adding a new subsection (8) to subpart (H)(4)(e), such that the amended subparts and subsections of Section 77-504 shall read as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-504. Landscaping and screening.

...

D. Required landscaping.

...

2. Perimeter buffer landscape requirements.

...

(b) *Trees and shrubs. . . .*

(1) *Trees.*

- a. ROW Buffers. One canopy tree per 35 lineal feet.
- b. Compatibility buffers. One tree per 50 lineal feet.
- c. Incompatibility buffer. One canopy tree per 35 lineal feet.

...

(d) *Area measurement.* The width of access ways that traverse required perimeter landscape buffers shall not be included in the calculation of linear dimension.

...

(f) *ROW buffer.*

(3) *Clustering. . . .*

- a. Clusters shall be spaced no more than 50 feet on center.

...

...

3. *Off-street parking landscaping requirements.* Off-street parking and interior vehicular use areas shall be subject to the following landscaping requirements. Plantings required by this section's perimeter buffer landscape requirements may be used to satisfy these requirements.

...

- (e) *Trees.* In addition to the trees required to be planted in Parking Landscape islands, there shall be a minimum of one tree planted for each 400 square feet or fraction thereof of required interior landscape area. A minimum of 75 percent of all trees required in the interior planting area shall be canopy trees. Ornamental trees substituted at a rate of 3:1, may count as one required tree, not to exceed 25 percent of the total required trees. Where only three or fewer trees are required, those trees shall all be canopy trees. The minimum requirement for canopy trees shall not be less than one tree for every eight parking spaces. Interior parking lot landscaping trees should not be placed in compatibility buffers. The number of interior parking lot landscaping trees may be reduced by the Director of Planning if the applicant provides written

information documenting that providing the required interior parking lot landscaping trees would result in unhealthy conditions for tree growth.

...
E. *General landscaping requirements and standards. . . .*

- ...
2. *Plant measurements.* Minimum plant measurements shall only apply to those plants that are required by this Code. Any proposed additional plants shall not be subject to these minimum requirements.

...
F. *Screening standards.*

- ...
5. *Living screen standards. . . .*

- ...
(d) When large evergreen-type shrubs are planted as part of the living screen, other shrub requirements contained in this Code shall be waived only for the particular buffer where the living screen is planted.

...
H. *Tree preservation.*

- ...
4. *Tree survey/preservation plan.*

- ...
(e) *Standards for tree protection and replacement.*

- ...
(8) **Violations.** A violation of this section, including but not limited to illegal or unauthorized tree removal, is a zoning and land use violation and shall be subject to the fines and penalties thereof.

Section 12: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending Subsection (H) of Section 77-506 to repeal subpart (1)(a)(4) in its entirety, to repeal subpart

(1)(c)(3) in its entirety, and to replace subparts (1)(c)(1) and (1)(c)(2) of subsection (H) of Section 77-506, such that said replaced subparts shall read as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-506. Off-street parking and loading.

...

(H) *Parking lot design standards.*

1. *Design and location of parking areas/stacking spaces.*

...

(c) *Buffering and screening.*

- (1) All parking areas shall be separated at least ten feet from buildings, in order to allow room for sidewalks, landscaping, and other plantings between the building and the parking area. This separation may be eliminated in the rear of buildings in areas designed for unloading and loading of materials; this applies primarily to industrial and warehousing buildings.

...

- (2) To the extent possible, the visibility of all parking areas shall be reduced by placing at least 20 to 40 percent of the parking to the rear or side of buildings facing public streets. Ideally, no more than one two-sided bay of nose-in parking should be placed between the building(s) and the street."

Section 13: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending Section 77-507 to repeal subsection (b) of subpart (C)(3) and to renumber the remaining subsections of subpart (C)(3) in correct alphabetical sequence; to amend subsection (d)(2) of subpart (C)(4); to repeal subsection (e)(2) of subpart (C)(4) and renumber the remaining the subsection in correct numerical sequence; and, to repeal subsection (k) of subpart (C)(4) and renumber the remaining the subsections in correct alphabetical sequence; such that subsection (C)(4)(d)(2) of Section 77-507 shall read as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Section 77-507. Public/institutional and commercial building standards.

...

(C) Standards for all public/institutional and commercial structures.

...

4. Building massing and facade. . . .

...

(d) Height transitions adjacent to streets or residential areas.

...

- (2) In the MU-WF District—Waterfront.** The height of each building taller than 35 feet shall be stepped down from its highest roofline to a height of no more than 35 feet on any portion of the building located within 100 feet of an adjacent area with single-family or two-family residential development.

..."

Section 14: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending section 77-512 to amend Table 5.12-1 "Specific Sign Regulations," to: delete the Number Allowed for Attached Wall signs and to replace the existing language with "N/A"; to delete the Number Allowed for Attached Awning signs and to replace the existing language with "N/A"; to add the word "combined" to the maximum area of Attached Wall signs such that the language of the cell in the row labeled "Wall" and in the column labeled "Max. Area" shall state "The greater of 10% of the façade or 60 sq. ft. combined"; to add the word "combined" to the maximum area of Attached Awning signs such that the language of the cell in the row labeled "Awning" and in the column labeled "Max. Area" shall state "The greater of 10% of the façade or 60 sq. ft. combined"; and to add new language to the cell in the row labeled "Menu Boards" and in the column labeled "Number Allowed" to delete the words "1 per order box" and replace it with the phrase "2 per drive thru lane or 1 per order box (drive-in dining only)."

Section 15: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending section 77-512 to amend Table 5.12-2 "Table of Signs Permitted By District," to delete the entire columns labeled "MU-DT," "MU-TR," and "MU-TS."

Section 16: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by repealing section 77-807 in its entirety to repeal the "Conditional Use Permit" requirements, and reserving section 77-807 for future expansion.

Section 17: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Chapter 77, "Rowlett Development Code," by amending section 77-1103 to amend subparts (A)(2), (C)(4), (C)(10), (C)(11), and (D)(3), to add a new subpart (b) to subsection (A)(2) defining "Group Home", to add a new subpart (c) to subsection (C)(4) defining "Alternative financial institutions", to amend subpart (b) of subsection (C)(10) defining "General personal services establishment", to repeal and replace subpart (c) of subsection (C)(10) "Self service Laundromat", to amend subpart (e) of subsection (C)(10) defining "Personal Cosmetics", to add a new subpart (f) to subsection (C)(10) to define "Tattoo Parlors", to repeal subpart (m) of subsection (C)(11) to remove the definition of "Shopping center" and to renumber the succeeding subpart to correspond with the removal of subpart (m), to add a new subpart (n) to subsection (C)(11) to defining "Pawn Shop", to renumber the existing subpart (e) to subpart (f) and add a new subpart (e) to subsection (D)(3) to add a definition of "Office/Warehouse", such that subparts (A)(2)(b), (C)(4)(c), (C)(10)(e) and (f), (C)(11)(m) and (D)(3)(e) of Section 77-1103 shall read as follows:

"CHAPTER 77

ROWLETT DEVELOPMENT CODE

...

Sec. 77-1103. Definitions of general use categories and specific use types.

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A. *Residential use definitions.*

...

2. Group Living. This category is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "household living." Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Specific use types include, but are not limited to:
 - (a) Group Home. Generally, group homes have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site.

Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff.

- (b) Retirement home, nursing home, continuing care, or assisted living facility. A health or care facility used for or customarily occupied by persons recovering from or suffering from infirmities of age, injury, or disease, that provides meals, lodging, and continuing care for longer than 24 hours, for compensation.

...

C. *Commercial Uses.*

...

4. *Financial service.* . . .

...

- (c) *Alternative financial institution.* An establishment that provides car title loans, payday loans, check cashing services or money transfer services, but is not a state or federally chartered bank, savings and loan institution, credit union or community development financial institution. An alternative financial institution shall not include an establishment or business that provides the described financial services as accessory to another main use.

...

10. *Retail (personal service).* . . .

...

- (b) General personal service establishment. A business that provides individual services related to personal needs directly to customers at the site of the business, or that receives goods from or returns goods to the customer, which have been treated or processed at that location or another location. This includes travel agencies, dry-cleaners, laundries, tailors, toning or tanning salons, photocopy centers, shoe repair shops, interior design studios, and dance and martial arts studios. This does not include convenience stores or gas stations or a "dry cleaning plant or commercial laundry," which is classified as an industrial use under the "manufacturing and production" general use category.
 - (c) Self service laundromat. A business that provides clothes washing and drying machines for the use of customers, either supervised or unsupervised.
-

- ...
- (e) *Permanent cosmetics.* A facility or use engaged in providing permanent designs or color to a human body in a manner resembling makeup including but not limited to eyeliner, eyebrow, and lips. Such uses may include those engaged in the application of permanent make-up or, changes to a person's appearance through such actions as laser hair removal or botulinum toxin (botox). This is not intended to include procedures requiring a physician.
 - (f) *Tattoo Parlor.* A facility or use engaged in placing ink or dye into the skin to create a permanent change in appearance that goes beyond enhancing natural features."

11. *Retail (general).* . . .

...

- (m) *Small-scale manufacturing for on-site retail sale.* Establishments and businesses that are involved in the small-scale, on-site manufacture of goods that are intended for on-site sales. Examples include, but are not limited to, book binding, candy making, toy manufacturing, apparel assemblage, food products, furniture making, glass blowing, jewelry and watch, leather goods fabrication, musical instruments manufacturing, sporting goods manufacturing, shoe making, and perfume production.
- (n) *Pawn Shop.* A pawn shop is an establishment that has been licensed to transact business by the Consumer Credit Commissioner under Chapter 371 of the Texas Finance Code.

...

D. *Industrial uses.*

...

3. *Warehouse, freight movement, and trucking facility.* . . .

...

- (e) *Office/Warehouse.* An enclosed permanent facility for general storage or warehousing of goods and subordinate office uses not to exceed 20,000 square feet. Little or no sales activity takes place with the exception of will-call pickups.
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...

Section 18: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Section 86-32 of Article II ("Administration") of Chapter 86 ("Manufactured Homes and Parks") to replace Section 86-32, such that Section 86-32 shall read in its entirety as follows:

"CHAPTER 86

MANUFACTURED HOMES AND PARKS

...

ARTICLE II. ADMINISTRATION

...

Sec. 86-32. Special use permit to be obtained.

The developer shall apply for a special use permit or other appropriate zoning classification as set out in the Rowlett Development Code."

Section 19: That the Code of Ordinances of the City of Rowlett, Texas be and is hereby amended by amending Volume 2 of the Code of Ordinances of the City of Rowlett, Texas, by repealing Part VI, "Downtown Land Use Plan" in its entirety and reserving Part VI of Volume II of the Code of Ordinances for future expansion.

Section 20: That all ordinances of the City of Rowlett in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 21: That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 22: That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Section 23: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Rowlett, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

Section 24: This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.


At a meeting of the City Council on May 21, 2013 this Ordinance be adopted. The motion carried by the following vote:

Ayes: 5 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Gallops, Councilmember Miller and Councilmember Kilgore

Absent: 1 Councilmember Pankratz

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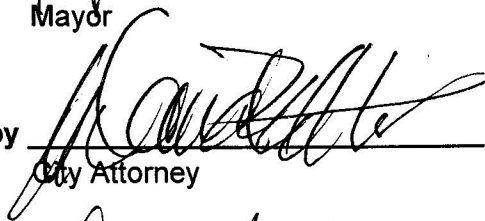
Approved by



Mayor

Date May 21, 2013

Approved to form by



City Attorney

Date May 21, 2013

Certified by



City Secretary

Date May 21, 2013

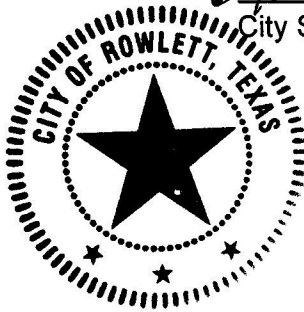


TABLE 3.1-1: TABLE OF ALLOWED USES																		
A = Allowed Use S = Special Use General Use Categories	Specific Use Types	Residential							Non-Residential							Mixed Use	Use-Specific Regulations	
		SF-40	SF-20, -15, -10, -9, -8, -7	SF-5	MF-2F	MF-TH	MF-S	MF-U	IU	O-1	O-2	C-1	C-2	C-3	M-1	M-2		MU-WF
RESIDENTIAL USES																		
Household Living	Dwelling HUD-code Manufactured Home	A	A	A	A	S												Subchapter 77:302A.1
	Dwelling, Mixed Use																	
	Dwelling, Multi-Family							A	A	A								Subchapter 77:302A.3
	Dwelling, single family (attached)							A										
	Dwelling, single family (detached)	A	A	A	A	S												
	Dwelling, two-family				A			A										
	Dwelling, townhouse				S	A	A	A	A									
	Dwelling, zero lot line				S	A	A	A	A									
	Manufactured Housing Park					S		S										
	Group Living	Group Home						S	S	A			S					
	Retirement Home, Nursing Home, Continuing Care, or Assisted Living Facility							A	A	A		A						
INSTITUTIONAL AND PUBLIC USES																		
Aviation	Airports, landing fields	S										S		S	S	S	S	S
	Heliports and helistops	S										S	S	S	S	S	S	S
Community Facility	Animal Shelter	S														A	A	
	Athletic Stadium									A	S		S			S	S	
	Athletic Field									A	S		S			S	S	
	Municipal Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Cultural Facilities	Library	A	A		A		A		A	A	A	A	A	A	A	A	A	A
	Museum or art gallery	S			S			S		A	A	A	A	A	A	A	A	A
Day Care	General Day Care, 20 or more enrolled	S	S	S					A	A	S	S	S					
	Limited Day Care, less than 20 enrolled (excluding "Family Home" as defined in the accessory use chart).	S	S	S				A	S		S	S						
Education	College or University				S			S		S		S			S			A
	Commercial School	S								S		S	A		S	A		A

[illegible]